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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,629	02/06/2002	Jack Peng	3179/15	4433

7590 04/22/2004

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EXAMINER

TRAN, QUOC DUC

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 04/22/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/066,629

Applicant(s)

PENG, JACK

Examiner

Quoc D Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) 1-3, 5 and 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4, 7 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn (6,690,778) in view of Lagoni et al (6,141,058).

Consider claims 4 and 8, Kahn teaches method and a picture/sound output equipment having volume adjustment functions operable with a screen and amplifier for adjusting volume upon detecting an incoming call while displaying an incoming message on the screen (abstract; col. 3 lines 1-20; col. 5 lines 8-21), comprising: a main unit having phone jack (col. 1 lines 1-7; col. 4 lines 18-19; col. 4 line 60 – col. 5 line 21), a plurality of buttons and picture/sound output hole (i.e., output port) for connection to the screen and the amplifier (see Fig. 1; col. 3 lines 1-20); an incoming call-detection circuit disposed in the main unit and comprising an alarm circuit for detecting the ringing of the incoming calls (col. 3 lines 51-56), and a control circuit operably connected to a volume adjustment of the main unit (col. 3 line 57 – col. 4 line 9), wherein said incoming-call detection circuit is operably connected to telephone line on one end and connecting to the main unit on the other end (Fig. 1; col. 3 lines 18-19). It should be noted that the modem 14 is inherently includes phone jack for connecting to a telephone network.

Kahn fails to further suggest wherein the incoming-call detection circuit (i.e., modem) includes a caller identification circuit for identifying the caller's phone number and a brief

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message and transformation circuit for transforming messages into visual messages and outputs said visual signals. However, Lagoni et al teach a television receiver includes a detector unit and a telephone network interface circuitry that allows the receiver to receive and process the Caller ID signal for display on the television screen or monitor when a incoming call is detected (col. 1 lines 16-30; col. 1 line 66 – col. 2 line 16; col. 2 lines 34-54; col. 4 lines 4-17, lines 44-54).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of Lagoni et al into view of Kahn in order to assist user in receiving telephone calls while entertainment devices are being in use.

Consider claim 7, Kahn suggested wherein the main unit is a VCRs, DVD players, or VCD players (col. 1 lines 18-23; col. 2 lines 44-48).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

4. Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231

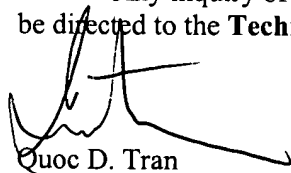
Facsimile responses should be faxed to:
(703) 872-9306

Hand-delivered responses should be brought to:
Crystal Park II, 2121 Crystal Drive
Arlington, VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.



Quoc D. Tran
Patent Examiner AU 2643
April 17, 2004